

**REMARKS**

Entry of the foregoing and reconsideration of the application identified in caption, as amended, pursuant to and consistent with 37 C.F.R. §1.111 and in light of the remarks which follow, are respectfully requested.

By the above amendments, claim 1 has been amended for clarification purposes to recite that the compound is a liquid crystal compound. Support for this amendment can be found in the instant specification at least at page 136, lines 30 and 31. Claims 1, 17 and 19 have been amended for clarification purposes to recite that the compound has a fixed alignment. Support for this amendment can be found in the specification at least at page 21, lines 16-19, taken in connection with page 7, lines 16 and 17.

Claims 17 and 19 have been amended for readability purposes to recite the phrases “along the transmittance axis” and “along the non-transmittance axis”, and by replacing the word “transparent” with “transmittance”, in accordance with the Examiner's comments. Claim 11 has also been amended for readability purposes to recite the phrases “along the transmittance axis” and “along the non-transmittance axis”.

New claims 20-23 are directed to additional aspects. Support for new claim 20 can be found in the specification at least at page 150, lines 30-32. Support for new claim 21 can be found at least at page 145, lines 9 and 10. Support for new claim 22 can be found at least at page 160, lines 16 and 17. In addition, support for new claim 23 can be found at least at page 152, lines 7 and 8.

In the Official Action, claims 17 and 19 stand rejected under 35 U.S.C. §112, second paragraph, for the reasons set forth at page 2 of the Official Action. In response thereto, claims 17 and 19 have been amended as discussed above, in accordance with the Examiner's

comments. Accordingly, withdrawal of the §112, second paragraph, rejection is respectfully requested.

Claims 1, 2, 4-10, 13, 15 and 16 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 6,149,837 (*Sekine et al*). Claim 3 stands rejected under 35 U.S.C. §103(a) as being obvious over *Sekine et al* in view of U.S. Patent No. 5,876,864 (*Kim et al*). Withdrawal of these rejections is respectfully requested for at least the following reasons.

According to one aspect as defined by claim 1, an optical film is provided comprising a transparent support and a polarizing layer which selectively transmits polarized light and which selectively reflects or scatters other polarized light, wherein the polarizing layer contains a liquid crystal compound represented by the following formula (I), wherein the compound has a fixed alignment:



in which each of Ar<sup>1</sup> and Ar<sup>2</sup> independently is a monovalent aromatic group, and Ar<sup>3</sup> is a divalent aromatic group.

*Sekine et al* does not disclose or suggest each feature of one aspect as defined by claim 1. For example, *Sekine et al* does not disclose or suggest a polarizing layer containing a liquid crystal compound represented by the formula (I), wherein the compound has a fixed alignment, as recited in claim 1. As discussed in the instant specification at page 21, the fixed alignment of the liquid crystal compound can, for example, maintain the optical character of the compound through temperature changes. By comparison, *Sekine et al* has no recognition or suggestion of any desirability of employing a fixed alignment of the compound thereof.

*Sekine et al* also fails to disclose the use of a liquid crystal compound in a polarizing layer, as recited in claim 1. Absent an improper resort to Applicants' own disclosure, one of ordinary skill in the art would not have been motivated to modify *Sekine et al* to provide a polarizing layer containing a liquid crystal compound represented by the formula (I) having a fixed alignment.

*Kim et al* fails to cure the above-described deficiencies of *Sekine et al*. In this regard, the Patent Office has relied on *Kim et al* for disclosing an optical film having a particular polymer (Official Action at page 5). However, like *Sekine et al*, *Kim et al* does not disclose or suggest a liquid crystal compound represented by the formula (I) having a fixed alignment, as recited in claim 1.

For at least the above reasons, it is apparent that no *prima facie* case of obviousness exists. Accordingly, withdrawal of the above §103(a) rejections is respectfully requested.

Claims 11, 12, 14 and 16-19 stand rejected under 35 U.S.C. §103(a) as being obvious over U.S. Patent No. 5,751,388 (*Larson*) in view of *Sekine et al*. Withdrawal of this rejection is respectfully requested for at least the following reasons.

According to additional aspects, claim 17 is directed to a polarizing plate, and claim 19 is directed to a liquid crystal display.

*Larson* does not disclose or suggest each feature of aspects defined by claims 17 and 19. For example, *Larson* does not disclose or suggest the compound represented by the formula (I) recited in claims 17 and 19. In this regard, this deficiency of *Larson* is acknowledged at page 9 of the Official Action. *Larson* also fails to disclose or suggest that such compound represented by the formula (I) has a fixed alignment, as recited in claims 17 and 19.

*Sekine et al* fails to cure the above-described deficiencies of *Larson*. In this regard, like *Larson*, *Sekine et al* does not disclose or suggest a compound represented by the formula (I) having a fixed alignment, as recited in claims 17 and 19. This deficiency of *Sekine et al* is discussed above in greater detail with respect to the §103(a) rejection based on *Sekine et al*.

For at least the above reasons, it is apparent that no *prima facie* case of obviousness exists. Accordingly, withdrawal of the above §103(a) rejection is respectfully requested.

From the foregoing, further and favorable action in the form of a Notice of Allowance is believed to be next in order, and such action is earnestly solicited. If there are any questions concerning this paper or the application in general, the Examiner is invited to telephone the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

Date: May 6, 2004

By: 

Roger H. Lee  
Registration No. 46,317

P.O. Box 1404  
Alexandria, Virginia 22313-1404  
(703) 836-6620